

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



**FILING COMPLETION UNDER RULE 53(f)**

( NOT PCT Applications)  
For Design, Provisional, or Utility Applications

PATENT  
APPLICATION

**COMPLETION Under**  
**Rule 53(f)**

In re PATENT APPLICATION of

Inventor(s): KREUTZER et al

Appln. No.: 09

Series Code ⬆

810,521

Serial No. ⬆

Atty.Dkt.

P

278416

M#

980183 BT-CIP

Client Ref

Attn: Application Division

Filed: March 19, 2001

Title: L-Lysine-Producing Corynebacteria and Process for the Preparation of Lysine

Hon. Commissioner of Patents  
Washington, DC 20231

Date: May 31, 2001

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. **Notice to File Missing Parts**      ☒ copy attached      ☐ not yet received  
☒ Signed Declaration attached.      ☒ Original      ☐ Facsimile/Copy

(Always "X" box 2 if filing signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or

"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.

2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.

3. ☐ Specification originally filed in non-English language; hence verified translation attached of:

a. ☐ Abstract

b. #  pages of Specification (only spec. & claims)

c. ☐ Drawing(s)

No of Sheets

☐ Fig(s).

4. ☐ Letter filing formal drawing attached.

5. ☒ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.

6. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1) 09/353,608	July 14, 1999	(2)	
(3)		(4)	
(5)		(6)	

7. FOREIGN priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in GERMANY

Application No.	Filing Date	Application No.	Filing Date
(1) DE 199 31314.8	May 7, 1999	(2)	
(3)		(4)	
(5)		(6)	

Completion Under Rule 53(b)

9. \_\_\_\_\_ (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) \_\_\_\_\_  
in U.S. Application No. \_\_\_\_\_ / \_\_\_\_\_ filed on \_\_\_\_\_
10. Small Entity Status ☐ ☒ is Not claimed ☐ is claimed (file PAT-256 if this is the first claim of Small Entity Status)
11. ☐ Attached:
12. ☐ Preliminary Amendment:

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

				Large/Small Entity		Fee Code
13. Basic Filing Fee . . . . . Design Application				\$320/\$160		106/26
. . . . . Not Design Application				\$710/\$355	+710	101/201
14. Total Effective Claims	34	minus 20 =	14	x \$18/\$9	+252	103/203
15. Independent Claims	11	minus 3 =	8	x \$80/\$40	+640	102/202
16. If <u>any proper</u> multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)				\$270/\$135	+270	104/204
17. Surcharge for filing Declaration/filing fee late				\$130/\$65	+130	105/205
18. <b>FILING FEE ENCLOSED =</b>				<b>\$2002</b>		
19. Original due date: July 15, 2001						
20. Petition is hereby made to extend the original due date to				(1 mo)	\$110/\$55 =	+0
cover the date this response is filed for which the requisite fee				(2mos)	\$390/\$195 =	115/215
is attached				(3mos)	\$890/\$445 =	116/216
				(4mos)	\$1390/\$695 =	117/217
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee . . . . .				\$130	+0	139
22. If "assignment" box 5 is X'd, add recording fee. . . . .				\$40	+40	581
23. Petition Fee for				\$130	+0	
24. <b>TOTAL FEE ENCLOSED =</b>				<b>\$2042</b>		

Our Deposit Account No. 03-3975

Our Order No. 21123

278416

C#

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP  
Intellectual Property Group**

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Ninth Floor  
Washington, DC 20005-3918  
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Atty/Sec: MAS/AMX

By Atty: Michael A. Sanzo

Reg. No. 36912

Sig: Michael A. Sanzo

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Tel: (202) 861-3020

**NOTE:** Fil in duplicate with PTO receipt (PAT-103A) and attachments



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/810,521	03/19/2001	Caroline Kreutzer	P 278416 980183BT-CIP

CONFIRMATION NO. 6186

00909  
PILLSBURY WINTHROP LLP  
1100 NEW YORK AVENUE, N.W.  
9TH FLOOR  
WASHINGTON, DC 20005

## FORMALITIES LETTER



\*OC00000006076928\*

Date Mailed: 05/15/2001



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
  - Total additional claim fee(s) for this application is \$1162.
    - \$252 for 14 total claims over 20.
    - \$640 for 8 independent claims over 3.
    - \$270 for multiple dependent claim surcharge.
  - The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
  - To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2002.**

This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the

06/01/2001 ADWITE1 00000033 033975 09810521

01 FC:101 710.00 00  
02 FC:102 252.00 00  
03 FC:103 640.00 00  
04 FC:105 130.00 00  
05 FC:104 270.00 00

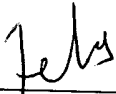
"Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice MUST be returned with the reply.*



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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE